

Naomi Levelle Haslitt, OSB No. 075857

naomi.haslitt@millernash.com

Iván Resendiz Gutierrez, OSB No. 154617

ivan.resendiz@millernash.com

MILLER NASH GRAHAM & DUNN LLP

3400 U.S. Bancorp Tower

111 S.W. Fifth Avenue

Portland, Oregon 97204

Phone: 503.224.5858

Fax: 503.224.0155

Attorneys for Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

EUGENE DIVISION

JAMES-BRENT: ALVAREZ,

Plaintiff,

v.

Case No. 6:19-cv-01071-AA

DECLARATION OF LUKE SITTS IN
SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT

LUKE SITTS, an individual; GERI
BROOKS, an individual; SCOTT
GEETING, an individual; STEVEN
BARRETT, an individual; DON MORRIS,
an individual; MATTHEW
CARMICHAEL, an individual; and
MICHAEL H. SCHILL, an individual,

Defendants.

I, Luke Sitts, declare as follows:

1. My name is Luke Sitts, and I am one of the defendants in the above-captioned action. I was employed as a Police Officer for the University of Oregon Police

Department ("UOPD") from June 2018 until January 2020. I make this declaration based on my personal knowledge, and I am competent to testify to the matters in this declaration.

2. I have reviewed documents and video submitted in Exhibits 2, 6, and 7 in the Declaration of Jason Wade in Support of Defendants' Motion for Summary Judgment and attest that they accurately reflect events that occurred during the traffic stop of James-Brent Alvarez on January 15, 2019.

3. During the January 15, 2019, traffic stop, I received information from the Law Enforcement Data System ("LEDS") that James-Brent Alvarez had a caution code as being an expert martial artist. LEDS is a database created for law enforcement records such as warrants, protection orders, stolen property, criminal histories, and other vital investigative files.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on this 21 day of January, 2021, in Salem, Oregon.



Luke Sitts

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Declaration of Luke Sitts in Support of Defendants' Motion for Summary Judgment:

James-Brent: Alvarez
c/o 30924 Kenady Lane
Cottage Grove, Oregon 97424
jb22.1978.008@gmail.com

Plaintiff Pro Se

by the following indicated method or methods on the date set forth below:

- ☐ **CM/ECF system transmission.**
- ☐ **E-mail.** As required by LR 5-9, any interrogatories, requests for production, or requests for admission were e-mailed in Word or WordPerfect format, not in PDF, unless otherwise agreed to by the parties.
- ☒ **E-mail** (per agreement to service by e-mail).
- ☐ **Facsimile communication device.**
- ☐ **First-class mail, postage prepaid.**
- ☐ **Hand-delivery.**
- ☐ **Overnight courier, delivery prepaid.**

DATED this 29th day of January, 2021.

s/ Iván Resendiz Gutierrez

Iván Resendiz Gutierrez, OSB No. 154617
Attorneys for Defendants

4826-8552-2895.2